

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3031 of 2019

Arising Out of PS. Case No.-109 Year-2018 Thana- KHUTAUNA District- Madhubani

Yadubir Mukhiya @ Jodbir Mukhiya S/o Late Mahabir Mukhiya Village -
Hanuman Nagar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav
For the Opposite Party/s : Mrs.Asha Devi

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-01-2019 Heard both sides.

The petitioner apprehends his arrest in Khutauna P.S. case No. 109 of 2018 registered under Section 272, 273 of the Indian Penal Code and under Section 30(a), 38(1) (2) of the Bihar Prohibition & Excise Act.

The informant raided the hotel of petitioner and found that petitioner had kept 15 bottles of country made liquor under garbage.

The learned counsel for the petitioner submits that nothing has been recovered from conscious possession of the petitioner but it appears that it was the petitioner who was running a hotel and he kept concealed country made liquor under garbage for supply to his customers.

Considering the facts aforesaid and nature of



allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders and prays for regular bail, the prayer for regular bail of the petitioner shall be considered by the court below taking into consideration that small quantity of country made liquor was recovered without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

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